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PATENT  
ATTORNEY DOCKET NO.: 061030-0013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

G. SHANKAR *et al.*

Application No.: 09/904,099

Filed: July 11, 2001

For: CHIMERIC G PROTEIN  
COUPLED RECEPTORS

Confirmation No.: 1334

Group Art Unit: 1646

Examiner: J. Ulm

**MAIL STOP RCE**

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

☐ Previously submitted:

☐ Please enter/consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_. (Any unentered amendment(s) referred to above will be entered).

☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

☐ Other \_\_\_\_\_.

☒ Enclosed:

☒ Amendment

☐ Affidavit(s)/Declaration(s)

☐ Information Disclosure Statement with PTO Form 1449 and \_\_\_\_\_ cited references

☐ Other \_\_\_\_\_.

10/27/2004 RFEKADU1 00000100 500310 09904099

01 FC:2801 395.00 DA  
02 FC:2255 1040.00 DA  
I-WA/2281578.1

## 2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other \_\_\_\_\_.

## 3. Fees Calculation

## (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☐ \$790.00
- ☒ \$395.00 (for small entity)

## (b) Extension of Time

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$ 1,530.00	\$ 765.00
<input checked="" type="checkbox"/> five months	\$2,080.00	<b>\$1,040.00</b>

Extension of time fee due with this request: \$1,040.00

If an additional extension of time is required, please consider this a Petition therefore.

- ☐ An extension for \_\_\_\_ month(s) has already been secured and the fee paid therefore of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

## (c) Suspension of Action under 37 C.F.R. § 1.103(c)

- ☐ A fee of \_\_\_\_\_ as set out in 37 C.F.R. § 1.17(i).

(d.) Excess Claim Fee (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	23	minus	51	0	x \$18 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	4	0	x \$88 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$300.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$0.00

The total fee for this submission: **\$1,435.00** (Small Entity)

## 4. Fee Payment

[ ] Check in the amount of \$\_\_\_\_\_ filing fee is enclosed.

[X] The Director is hereby authorized to charge **\$1,435.00**, Small Entity (\$395.00 RCE filing fee and \$1,040.00 for the five-month extension of time fee) to our Deposit Account No. 50-0310.

## 5. Additional papers enclosed:

[ ] Preliminary Amendment

[ ] Declaration of Biological Deposit

[ ] Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

6. Constructive Petition

[X] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: October 26, 2004

By:



Dean L. Fanelli

Reg. No. 48,907

**CUSTOMER NO. 009629**

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